

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY DEFRANCO,)	
)	
Plaintiff)	
)	
v.)	Civil Action No. 04-230
)	Erie
WILLIAM WOLFE, STEVE REILLY,)	District Judge Cohill
DENNIS BUNNER, ROD SHOWERS,)	Magistrate Judge Baxter
JUDY JACKSON, et al.,)	
)	
)	
Defendants.)	

MOTION TO EXTEND TIME TO FILE A RESPONSIVE PLEADING

AND NOW, come the defendants, William Wolfe, Steve Reilly, Denise Bunner, Rod Showers, Judy Jackson, Jeffrey Beard, William Barr, and Marilyn Brooks¹, by their attorneys, Thomas W. Corbett, Jr., Attorney General, Mary L. Friedline, Senior Deputy Attorney General, Susan J. Forney, Chief Deputy Attorney General, Chief Litigation Section, and respectfully move for a brief extension of time to respond to Plaintiff's Second and Supplemental Amended Complaint.

1. Pursuant to this Court's Order of January 17, 2006, plaintiff filed his Second and Supplemental Amended Complaint. Doc. # 139.

2. The Second and Supplemental Amended Complaint was docketed on January 17, 2006, making defendants' response due on or before February 6, 2006.

¹ Pursuant to Order dated January 17, 2006, Superintendent Palakovich was redacted from the Complaint. Subsequently, he is not listed as a defendant represented by this office and should be removed from the caption.

3. Undersigned counsel is preparing for an employment discrimination jury trial in front of the Honorable Kim R. Gibson starting on February 6, 2006 and lasting through February 14, 2006.

4. Given the length of the complaint and scope of the allegations, counsel believes she will be unable to complete an appropriate response within the deadline established. Accordingly, counsel requests an additional three (3) weeks, until February 27, 2006 to file defendants' response to the Second and Supplemental Amended Complaint.

WHEREFORE, it is respectfully requested that this motion be granted and that a response to the Second and Supplemental Amended complaint be filed no later than February 27, 2006.

Respectfully submitted:

Thomas W. Corbett, Jr.,
Attorney General

By: ____/s/Mary Lynch Friedline____
Mary Lynch Friedline
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